IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5502 of 2005

Between:

ABS Town Hall, Nidadavole,

represented by its Secretary.
M.Bhaskara Rao, Nidadavole, W.G.District.

..... PETITIONER

AND

1 State of A.P, represented by its Principal Secretary, Home Department,

Secretariat, Hyderabad.
2 Superintendent of Police, West Godavari District at Eluru.
3 Deputy Superintendent of Police, Kovvur, W.G.District.
4 Inspector of Police, Nidadavolu, West Godavari District.
5 Station House Officer, Nidadavole PS, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in obstructing the play of rummy game with stakes/syndicate by the members of petitioner recreation society as illegal, irregular, high handed and violative of Articles 14,19, and 21 of the Constitution of India and also contrary to law laid down by the Hon'ble Supreme Court in State of AP Vs K Satyanassrayana and others reported in AIR 1968 Sc 825 and Twin Cities cinema cultural center (Formerly Twin Cities Club) Jubilee Hills, Hyderabad Vs. Commissioner of Police, A.P., Hyderabad and others, 2002 (5) ALT 805 and consequently direct the respondents to not to so insist upon nor interfere in any manner with cards table playing the game of rummy with stakes/syndicate (13 card game) and pass such other order or orders.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondents1 to 5: G.P. FOR HOME

The Court at the stage of admission made the following

ORAL ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home, appearing on behalf of the respondents.

2. This Writ Petition is filed seeking to declare the action of the respondents herein, in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner-club as arbitrary, illegal, and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner-club within the club premises.

3. The grievance of the petitioner is that the respondents are interfering with the lawful activities of the petitioner's Club and causing much inconvenience and embarrassment to the esteemed members of the Club.

4. Time and again, this Court categorically held that 13 cards game is a game of skill and the respondents shall not interfere with the playing of 13 cards game. Same is the view taken by in a Division Bench of this Court in ***Twin Cities Cinema Cultural Centre (Formerly Twin Cities Club) Vs. Commissioner of Police*** [2002(5) ALT 805 (DB)] in Writ Appeal No.1167 of 2002, dated 29-07-2002**.**

5. Therefore, the respondents are directed not to interfere with the lawful activities of the petitioner-club, particularly with the playing of 13 cards game with or without betting. However, the respondents are at liberty to interfere with the unlawful activities, if any, going on in the petitioner-club and to take appropriate action in that regard.

6. With the above observation and direction, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

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28TH MARCH 2005

ISN

ASSISTANT REGISTRAR

To

1 The Principal Secretary, State of A.P, , Home Department,

Secretariat, Hyderabad.
2 The Superintendent of Police, West Godavari District at Eluru.
3 The Deputy Superintendent of Police, Kovvur, W.G.District.
4 The Inspector of Police, Nidadavolu, West Godavari District.
5 The Station House Officer, Nidadavole PS, W.G.District.

6 Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

7 One CC to MR.SATYANARAYANA NIMMAGADDA, learned counsel

for the petitioner.

8 Two CD copies.